



USER'S GUIDE TO THE HERNDON ZONING ORDINANCE

14. Conducting a Business in the Home

(See Zoning Ordinance §78-402.7(k), *Home-Based Businesses Including Daycare or Childcare*)

The Town of Herndon Zoning Ordinance User Guide series provides the public with general information on land use regulations affecting activities undertaken by the public and administered by the Herndon Department of Community Development. It is not intended to be a complete statement of all applicable regulations. Individuals are encouraged to contact the Department of Community Development at 703-787-7380 for complete permitting requirements.

Are permits required to conduct a business from the home? Yes.

Permits include:

- A Zoning Inspection Permit (application form available upon request)
- A Business License (application form available upon request)
- **In rare instances: a Special Exception subject to approval by the Planning Commission and Town Council.**

What is a home-based business?

It can be any lawful business that meets the standards described in the Zoning Ordinance in §78-402.7(k), *Home-Based Businesses Including Daycare or Childcare*. Telecommuting normally is not regarded as a home-based business.

Why does the Town regulate businesses conducted in the home?

By regulating home businesses, the Town intends to preserve the peaceful ambience of its residential neighborhoods, and to prevent home-based businesses that may have a negative effect on nearby residents. Allowing home businesses fosters economic activity and supports the high technology and information services industry so prevalent in our area.

What limitations are there on businesses conducted in the home? A home-based business must:

- Be incidental and secondary to the use of the dwelling as a place of residence;
- Occupy no more than one third of the principal dwelling up to a maximum of 1,000 square feet;
- Be conducted by an occupant of the dwelling;
- Be conducted entirely within an enclosed building;
- Limit deliveries to three per day if on a private street or four per day if on a public street;
- Not cause noise, vibration, smoke, radiation, dust, odor, heat, glare and other effects that are perceptible across the property line;
- Not cause an increase in solid waste over normal residential use;
- Allow no more than three customers are the site for more than two consecutive hours per day;
- Allow no more than two employees who do not reside in the home;
- Allow no more than four total arrivals per day of employees, clients, customers or associates.

Certain business activities are prohibited by the Town from being conducted in the home, including:

- The on-site storage or presence of explosives, hazardous materials, or any substance or activity that is determined to constitute a threat to the public health or safety of the Town;
- The on-site provision of any service to clients or customers other than by appointment;

- The on-site sale of any goods, services, items, or property other than by appointment;
- An on-site restaurant, carry-out service, or any business involving preparation of food, except special occasion cakes;
- On-site servicing, repair or painting of motor or other vehicles, or any motorized equipment excluding small household appliances and personal computers;
- An animal hospital, kennel, or any other business involving the on-site care or feeding of animals;
- A boarding house or inn, or the like;
- A mortuary or funeral home, or the like;
- A delivery service by which goods or other property to be delivered are stored or brought on-site, excluding a business that involves the purchase, processing, and then delivery of goods or other property in a manner consistent with the zoning ordinance;
- A welding or machine shop or a pipe fitting operation, or the like;
- Rental of on-site equipment, on-site goods, or on-site property, or the like;
- Rental, use, dispatch, sale, or lease of a hearse, ambulance, wrecker or tow truck, taxi or limousine, only when such vehicle is brought to the site or to the vicinity of the site of the home-based business, with the exception that an individual may operate a taxi, or a standard passenger vehicle for hire as a home-based business, provided that only one such taxi or standard passenger vehicle may be present at or in the vicinity of the subject dwelling unit;
- A nursing home or the like; or
- Similar uses.

Need more information?

Have a question on required permits, the permit process, or application requirements? Call or make an appointment to see a member of the staff in the **Department of Community Development at 703-787-7380**.

Have a question regarding building permits or construction codes? Call or make an appointment to see the **Building Official at 703-435-6850**.

Visit the Town of Herndon on the web at www.herndon-va.gov for the Zoning Ordinance User Guide series or to access the Town Code. Town offices are located at the Herndon Municipal Center at 777 Lynn Street, Herndon, Virginia, 20170.

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